

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelop addressed to: Box Missing Parts, Commissioner for Patents, Washington DC 20231, on the date shown below.

Dated: January 30, 2002



**GRIGINALLY FILED** 

Docket No.: 022956-72 (PATENT)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Daniel F. Justin, et al.

Application No.: 09/966,737 - #3569

Filed: September 28, 2001

Group Art Unit: 3738

Examiner: Not Yet Assigned

For: EXPANDING LIGAMENT GRAFT FIXATION

SYSTEM AND METHOD

## RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

**Box Missing Parts** 

Commissioner for Patents Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed October 29, 2001, Applicants respectfully submit:

An Executed Declaration and Power of Attorney;

Part 2 – Notice to File Missing Parts;

A Fee Transmittal; and

A check in the amount of \$1258.00.

Dated: January 30, 2002

Respectfully submitted

Ronald E. Cahill

Registration No.: 38,403

NUTTER MCCLENNEN & FISH LLP

One International Place

Boston, Massachusetts 02110-2699

(617) 439-2782

(617) 310-9782 (Fax)

Attorneys for Applicant



# COEV OF PAPERS ORIGINALLY FILED

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL	Application Number				er	09/966,737 - #3569-Conf. #3569		
for FY 2002	Filing Date					September 28, 2001		
Patent fees are subject to annual revision.	First Named Inventor			ntor	Daniel F. Justin et al.			
	Examiner Name				Not Yet Assigned			
Application claims small entity status. See 37 CFR 1.27	7 Group Art Unit				3738			
TOTAL AMOUNT OF PAYMENT (\$) 1258.00	Attorney Docket No.				0.	022956-72		
METHOD OF PAYMENT (check all that apply)	<del></del>			FEE	CALCU	LATION (co	ontinued)	
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Deposit Account 141449	Fee	Fee						
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Deposit Account Nutter McClennen & Fish LLP	105	130	205	65	Surcharge	– late filing fe	ee or oath	130.00
Name The Commissioner is hereby authorized to: (check all that apply)	127	50	227	25		– late provisi	onal filing fee or cover	
Charge fee(s) indicated below X Credit any overpayments	420	420	120	420	sheet.			
Charge any additional footo) during the product of this	139	130	139	130	Non-Englis	sh specification	on .	
application	147	2,520	147	2,520	-		parte reexamination	
Charge fee(s) indicated below, except for the filing fee	112	920*	112	920°	Requesting Examiner a		of SIR prior to	
to the above-identified deposit account.	113	1,840*	113	1,840*	Requesting Examiner a	publication (	of SIR after	
FEE CALCULATION	115	110	215	55		for reply withi	n first month	
1. BASIC FILING FEE	116	400	216	200	Extension	for reply withi	n second month	400.00
Large Entity Small Entity Fee Fee Fee Fee Fee	117	920	217	460	Extension	for reply withi	n third month	
Code (\$) Code (\$) Fee Description Fee Paid	118	1,440	218	720	Extension	for reply withi	n fourth month	1
101 740 201 370 Utility filing fee 710.00	128	1,960	228	980	Extension	for reply withi	n fifth month	
106 330 206 165 Design filing fee	119	320	219	160	Notice of A	ppeal		
107 510 207 255 Plant filing fee 108 740 208 370 Reissue filing fee	120	320	220	160		ef in support of		
108 740 208 370 Reissue filing fee	121 138	280 1,510	221 138	140 1,510		r oral hearing		
	140	110	240	55	Petition to institute a public use proceeding Petition to revive – unavoidable			
SUBTOTAL (1) (\$) 710.00	141	1,280	241	640	Petition to revive - unintentional			
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	142	1,280	242	640	Utility issue fee (or reissue)			
Extra Fee from Fee Paid Claims below Fee Paid	143	460	243	230	Design issu	ie fee		
Total Claims 21 -** = 1 x 18 = 18.0	144	620	244	310	Plant issue	fee		
ndependent = x ==	122	130	122	130	Petitions to	the Commiss	sioner	
Multiple Dependent =	123	50	123	50	Processing	fee under 37	CFR 1.17(q)	
arge Entity Small Entity	126	180	126	180	Submission	of Information	on Disclosure Stmt	
Fee Fee Fee Fee Code (\$) Fee Description	581	40	581	40			ssignment per	$\neg \neg$
103 18 203 9 Claims in excess of 20	146	740	246	370			of properties) final rejection	
102 84 202 42 Independent claims in excess of 3			246		(37 CFR 1.		-ti t- b-	
104 280 204 140 Multiple dependent claim, if not paid	149	740	249	370		dditional inver 37CFR 1.129		
109 84 209 42 ** Reissue independent claims over original patent	179	740	279	370			xamination (RCE)	
110 18 210 9 ** Reissue claims in excess of 20	169	900	169	900	of a design	expedited ex application	kamination	1
and over original patent	Other fe	ee (spec	ify)					
SUBTOTAL (2) (\$) 18.00	*Reduced by Basic Filing Fee Paid SUBTOTAL (3 (\$) 530.00						530.00	
**or number previously paid, if greater; For Reissues, see above	- <del>L-2.</del>							
SUBMITTED BY	0	41 41				Complete (	if applicable)	
	Registra (Attorne)		38	,403		Telephone	(617) 439-2782	
Signature / / / / / / / / / / / / / / / / / / /						Date	January 30, 200	2

Fee Transmittal

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Dated: January 30, 2002

Signature:



ADEMARK OFFICE

OF PAPERS

#3

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/966,737

09/28/2001

Daniel F. Justin

022956-0072

021125 NUTTER MCCLENNEN & FISH LLP ONE INTERNATIONAL PLACE BOSTON, MA 02110 CONFIRMATION NO. 3569
FORMALITIES LETTER
\*OC00000000000000992603\*

Date Mailed: 10/29/2001

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
   Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional ciaim fee(s) for this application is \$18.
  - \$18 for 1 total claims over 20.
- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 858.

A	copy of	this	notice	<u>MUST</u>	be	returned	with	the	reply
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-	03/07/2002 MBERHE	00000029 143	1449 033007
j	02 FC:101 03 FC:105	12.00 CH	740.00 OP 118.00 OP

Customer Service Center Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/07/2002 NDERHE 00000029 141449 09966737